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DEC 07 2006

OFFICE OF PETITIONS

In re Application of	:
Teresita Vergara Imperial	:
Application No. 09/332,863	: DECISION ON PETITION
Filed: June 15, 1999	: UNDER 37 CFR 1.137(b)
Attorney Docket No. REV-99-10	:

This is a decision on the petition under 37 CFR 1.137(b), filed May 15, 2006, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.


The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed December 16, 2004, which set a shortened statutory period for reply of three (3) months. A reply, along with a three month extension of time under the provisions of 37 CFR 1.136(a), was received. As the reply did not *prima facie* place the application in condition for allowance, as set forth in the Advisory Action mailed July 6, 2005, this application became abandoned on June 17, 2005. A Notice of Abandonment was mailed on January 12, 2006.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37

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Any questions concerning this matter may be directed to the undersigned at
(571) 272-3218.


Frances Hicks
Petitions Examiner
Office of Petitions